

RESOLUTION NO. 09-62

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO THE REVISED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING IN MIAMI-DADE COUNTY WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, COPY OF WHICH IN SUBSTANTIAL FORM IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1", AND FURTHER AUTHORIZING THE EXECUTION OF ANY SUPPLEMENTAL DOCUMENTS IN FURTHERANCE THEREOF.

WHEREAS, the Planning and Zoning Board at its meeting of May 13, 2009 recommended approval of the Revised Interlocal Agreement for Public School Facility Planning in Miami-Dade County; and

WHEREAS, pursuant to Hialeah, Fla., Resolution 03-22 (Feb. 27, 2003), the City of Hialeah entered into an Interlocal Agreement for Public School Facility Planning in Miami-Dade County; and

WHEREAS, the City of Hialeah recognizes the benefits that result from close coordination of joint comprehensive land use and school facilities planning programs; and

WHEREAS, section 1013.33, Florida Statutes, requires that the location of public educational facilities must be consistent with the comprehensive plan and the land development regulations of the appropriate local governing body; and

WHEREAS, sections 163.3177(6)(h) 1 and 2, Florida Statutes, require the City to adopt an intergovernmental coordination element as part of its comprehensive plan; and

WHEREAS, sections 163.3177 and 1013.33, Florida Statutes, further require Miami-Dade County and the City of Hialeah, as local governmental entities, to enter into an interlocal agreement with the district school board to establish specific ways in which the plans and processes of the district school board and the local governments are to be coordinated;

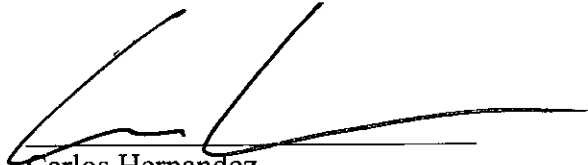
WHEREAS, in 2005, the Florida Legislature, pursuant to Ch. 2005-290, Laws of Florida, requires that all interlocal agreements for public school facility planning with local governmental entities be revised and updated to reflect a new statutory mandate to implement public school concurrency in conjunction with the respective school board's obligations to

prepare, adopt and implement a financial feasible capital facilities program in order to achieve planned goals for student capacity.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the Revised Interlocal Agreement for Public School Facility Planning in Miami-Dade County with the School Board of Miami-Dade County, Florida, a copy of which in substantial form is attached hereto and made a part hereof as Exhibit "1", and further authorizes the execution of any supplemental documents in furtherance thereof.

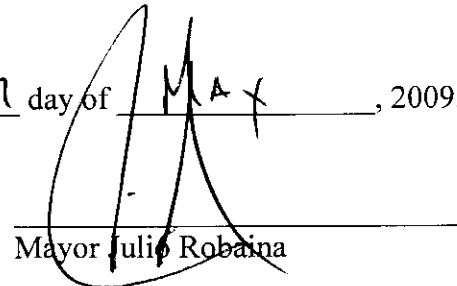
PASSED AND ADOPTED this 26th day of May, 2009.


Carlos Hernandez
Council President

Attest:

Approved on this 27 day of May, 2009.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to legal sufficiency and form:


William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".